

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>	Attorney Docket No.	2762.2006-002
	First Named Inventor or Application Identifier	Kirk Johnson
	Express Mail Label No.	EL762238179US

Title of Invention	METHOD AND APPARATUS FOR A MINIMALIST APPROACH TO IMPLEMENTING SERVER SELECTION
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<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231
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1. <input type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>  2. <input checked="" type="checkbox"/> Specification <b>Total Pages [32]</b> <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to microfiche Appendix - Background of the Invention - Summary of the Invention - Brief Description of the Drawings - Detailed Description - Claim(s) - Abstract of the Disclosure  3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <b>Total Sheets [ 14 ]</b> <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Fig. of the Drawings for Publication <input type="checkbox"/>  4. <input type="checkbox"/> Oath or Declaration/POA <b>[Total Pages [ ] ]</b> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <b>[NOTE Box 5 below]</b> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).  5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i>  7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) <b>[ ] Pages</b> c. <input type="checkbox"/> Statement verifying identity of above copies  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><b>ACCOMPANYING APPLICATION PARTS</b></td> </tr> <tr> <td>             8. <input type="checkbox"/> Assignment Papers (cover sheet &amp; documents)  <input type="checkbox"/> Assignee -               9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney  <i>(when there is an assignee)</i>              10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>              11. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS              Statement (IDS)/PTO-1449 Citations              12. <input type="checkbox"/> Preliminary Amendment              13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)  <i>(Should be specifically itemized)</i>              14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application,              Statement(s) status still proper and desired              15. <input type="checkbox"/> Certified Copy of Priority Document(s)  <i>(if foreign priority is claimed)</i>              16. <input checked="" type="checkbox"/> Nonpublication Request <i>(check parent application)</i>              17. <input checked="" type="checkbox"/> Other: <u>Remarks document</u> </td> </tr> </table>	<b>ACCOMPANYING APPLICATION PARTS</b>	8. <input type="checkbox"/> Assignment Papers (cover sheet & documents) <input type="checkbox"/> Assignee -  9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 11. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations 12. <input type="checkbox"/> Preliminary Amendment 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Statement(s) status still proper and desired 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Nonpublication Request <i>(check parent application)</i> 17. <input checked="" type="checkbox"/> Other: <u>Remarks document</u>
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18. <b>If a CONTINUING APPLICATION</b> , check appropriate box and supply the requisite information:			
[X] Continuation	[ ] Divisional	[ ] Continuation-in-part (CIP)	of prior application No.: 09/766,877
Prior application information: Examiner: Not assigned		Group Art Unit: 2152	

<b>19. CORRESPONDENCE ADDRESS</b>					
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Submitted by Typed or Printed Name	Mark B. Solomon	Reg. Number	44,348

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

<b>NONPUBLICATION REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Kirk Johnson
	Attorney Docket No.	2762.2006-002
	Express Mail Label No.	EL762238179US
Title of Invention	METHOD AND APPARATUS FOR A MINIMALIST APPROACH TO IMPLEMENTING SERVER SELECTION	

Pursuant to 37 C.F.R. § 1.213(a)(3), I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

The undersigned is an attorney/agent for applicant(s).

4/2/01

Date

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If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify that United States Patent and Trademark Office of such filing within forty-five (45) days after that date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kirk Johnson

Continuation Application of

Application No.: 09/766,877

Filed: January 19, 2001

For: Method and Apparatus for a Minimalist Approach to Implementing Server Selection

Date: <u>4/2/01</u>
EXPRESS MAIL LABEL NO. <u>EL 76223817905</u>

REMARKS

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The above-captioned application is a continuation of application number 09/766,877 filed on January 19, 2001 to which priority is claimed under 35 U.S.C. §120.

Applicant is submitting under separate cover, and under Express Mail procedure, a processing and retention fee in the parent application, as well as any extension of time fees which may be due, to maintain copendency between the parent application and the instant continuation application.

The related applications paragraph has been revised to include the parent application.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Dated: 4/2/01